

DNR NEWS

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DNR issues emergency rule for flood relief

Flood victims got a measure of relief Wednesday when DNR Director Robert E. Carter, Jr. announced an emergency rule that temporarily suspends permit requirements for certain reconstruction activities and debris removal in flooded areas.

“Gov. Mitch Daniels has directed state agencies to act quickly to provide relief to Hoosiers affected by the recent severe weather,” Carter said. “In issuing this emergency rule, DNR is expediting the process of rebuilding communities hardest hit this week.”

The emergency rule is applicable in 29 counties and only in the following instances:

- Reconstruction of bridge and culvert crossings damaged by floodwaters;
- Removal of logjams and debris from the channel of a waterway;
- Stabilization and repair of stream banks eroded by floodwaters.

Under normal conditions, such work requires a permit under Indiana Code 14-28-1, but that requirement is waved until Oct. 1 for the following counties: Bartholomew, Boone, Brown, Clay, Daviess, Dearborn, Decatur, Franklin, Greene, Henry, Jackson, Jefferson, Jennings, Johnson, Lawrence, Madison, Monroe, Morgan, Ohio, Owen, Randolph, Ripley, Rush, Shelby, Sullivan, Union, Vermillion, Vigo and Wayne.

Some conditions apply in regards to the equipment and methods used in reconstruction, debris removal and stabilization. For example, replacement bridges or culvert crossings must be at least the same size and as effective as before the flood damage occurred; appropriate control measures must be installed to prevent the flow of sediment-laden water into the waterway; and certain plants may not be used for re-vegetation. A complete list of the emergency rule guidelines is available at dnr.in.gov (click on the link marked Emergency Rule-Flood).

Carter has determined that any project meeting these criteria does not adversely affect the efficiency of or unduly restrict the capacity of the floodway; constitute an unreasonable hazard to the safety of life or property; and result in unreasonably detrimental effects to fish, wildlife or botanical resources.